DETAILED ACTION

1. This communication is considered fully responsive to the amendment filed on February 26, 2010 for the patent application 10/540,532 filed 05/10/2003. The amendment presented on February 26, 2010, which provides amendment to claims 1, 7 and 13 is hereby noted. Claims 1-4 and 6-14 remain pending and have been examined.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 and 6-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term or phrase "local requirement" in claims 1, 7 and 13 appears to be indefinite or unclear; this term does not have established meaning in the art and there is no definition to this term and the examples given are in contrary to the accepted definition in the art or its accepted meaning. It appears to be applicant's own term for his invention.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. Process Control Corp. v. HydReclaim Corp.,

190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). Accordingly, claims 3-4 and 6,

8-12 and 14 are indefinite.

Examiner has interpreted this phrase broadly with respect to what one of ordinary skill in

the art will take the phrase to mean for the purpose of examination.

Claim Rejections - 35 USC S 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action: (a) A patent may not be obtained though the invention is

not identically disclosed or described as set forth in section 102 of this title, if the differences

between the subject matter sought to be patented and the prior art are such that the subject matter

as a whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived

by the manner in which the invention was made.

4. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

 1. Determining the scope and contents of the prior art.

 2. Ascertaining the differences between the prior art and the claims at issue.

 3. Resolving the level of ordinary skill in the pertinent art.

 4. Considering objective evidence present in the application indicating obviousness or

nonobviousness.

5.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable in view of **Lefeber** et

al. (US 2002/0046299) (**Lefeber** hereafter) and **Emens** et. al (US 6,493,744) (**Emens** hereafter)

Regarding claim 1, a method of filtering text messages, the method comprising the steps of:

a) inputting a rule set [user limit values] into the telecommunications device by

downloading the rules set from a network operator;

b) reading an incoming message;

c) modifying the message <u>in response to determining</u> that <u>the</u> message breaks a rule of the

rule set; and

d) displaying the modified message

wherein the rule comprises a plurality of rules, each of which relates to a respective

predetermined message content, <u>at least one rule of the plurality of rules being associated with a</u>

<u>particular local requirement.</u>

Lefeber teaches a method of filtering text messages (**e.g.**, `internal server 112b`

`filters the data to search for events of interest, 0057`) received by

a mobile telecommunications device (`e.g., Fig. 4-item 405, Lefeber`),

downloading the rules set (`e.g., a user could download various types of`

`information from the network to his mobile device...the user`

`could ...download information pertaining to alert and priority`

`rules that have been set with the network, [0082-0083], Lefeber`)

from a network operator (`e.g., central network, 0032`). **Lefeber also teaches**

reading an incoming message (`[e.g., 0074]`), wherein when the rule set comprises a

plurality of rules, each of which relates to a respective predetermined message (`e.g., [0040`

`and 0060]`).

Lefeber does not explicitly teach the underlined limitations of the claim, <u>modifying the</u>

<u>message if that message breaks a rule of the rule set</u> and displaying the modified message, also,

at least one rule of the plurality of rules being associated<u> with a particular local requirement</u>

However, **Emens teaches** modifying the message if that message breaks a rule of the rule set (e.g., Fig. 2B); and displaying the modified message (e.g., Fig. 2B-item 36) and at least one rule of the plurality of rules being associated with a particular local requirement (e.g., each word entry in the repository may have numerous associated content rating vectors for different contexts in which the word is used, determined by surrounding words in the text, col. 3, lines 24-30, Emens).

It would have been obvious to one of ordinary skill in the art at the time invention was made, given the suggestions of Lefeber and Emens to filter text messages received by a mobile telecommunications device, inputting a rule set into the telecommunications device by downloading the rules set from a network operator by reading an incoming message, modifying the message if that message breaks a rule of the rule set and displaying the modified message.

One would be motivated to utilize a mobile phone or other user interfaces which are capable of function activation, such as keypad, voice activation, joysticks, touch screens, dial shuttles as input means in any mobile communication with a display.

Regarding claim 2, wherein the message is a text message (e.g., Figs. 2A - 2C, Emens).

Regarding claim 3, wherein step b) includes the step of parsing the incoming test message (e.g., Fig. 3, Emens).

Regarding claim 4, wherein step c) is such as to delete the predetermined text content, or to replace the letters of the predetermined text content (e.g., Fig. 2C, Emens) with meaningless characters (e.g., col. 4, lines 4-7 and col. 5, lines 55-58, Emens).

Regarding claim 5, wherein step

a) is carried out by downloading the rule set from a network operator [network] (e.g., the user could ...download information pertaining to alert and priority rules that have been set with the network, 0083, Lefeber).

Regarding claim 6, comprises substantially the same limitations as those address in claim 1. Therefore, the same rationale of rejection is applicable.

Regarding claim 7, a telecommunications device comprising a transceiver configured to download a rule set from a network operator for input into the telecommunications device (e.g., user could define a series of priority rules whereby signals are always sent to his cell phone 205c, [0048], Lefeber), a processor and a display, the processor including software, means [e.g., Fig. 3—item 336 and 0059, Lefeber] for inputting a rule set into the software from a network operator, means (e.g., Fig. 4C—item 110, Emens) for reading an incoming message (e.g., [0074], Lefeber) means (e.g., Fig. 4B—item 100, Emens) for modifying the message in response to determining that the message breaks a rule of the rule set (e.g., Fig. 4B—item 104, Emens) whereby a modified message is displayed (e.g., Fig. 2B—item 36), wherein the rule set comprises a plurality of rules, each of which relates to a respective predetermined message content (e.g., Fig. 2C, Emens and 0040, Lefeber), at least one rule of the plurality of rules being associated with a particular local requirement (e.g., each word entry in the repository may have numerous associated content rating vectors for different contexts in which the word is used, determined by surrounding words in the text, col. 3, lines 24-30, Emens)

Regarding claim 8, wherein the software (e.g., Recreation Software Advisory Council (RSAC), Emens) is such that a user (e.g. parent) of the device can modify the rule set (e.g., col. 7, lines 1-13, Emens).

Regarding claim 9, further comprising data input means linked to the processor for modifying the rule set (e.g., col. 9, lines 35-43, Emens).

Regarding claim 10, wherein a keypad constitutes the data input means (e.g., 0008, Lefeber).

Regarding claim 11, wherein, when the message is a text message (e.g., Fig. 3—item 58, Emens), the software is such as to parse (e.g., Fig. 3—item 60, Emens) the incoming text message (e.g., Fig. 2A, Emens).

Regarding claim 12, comprises substantially the same limitations as those address in claim 4. Therefore, the same rationale of rejection is applicable.

Regarding claim 13, a mobile telecommunications device comprising:

a transceiver configured to download a rule set from a network operator for input into the telecommunications device (e.g., user could define a series of priority rules whereby signals are always sent to his cell phone 205c, [0048], Lefeber), a processor and a display (e.g., Fig. 4A—item 84,

Emens), the processor including software containing a rule set means (e.g., Fig. 3—item 336 and 0059, Lefeber) means (e.g., Fig. 4A—item 82, Emens) for modifying the rule set, to accommodate the needs of a user, on input of a modification of the rule set by that user, means (e.g., Fig. 4A—item 84, Emens) for reading an incoming message, means (e.g., Fig. 4A—item 76, Emens) for modifying the message in response to determining that the message breaks a rule of the rule set (e.g., Fig. 4B—item 104, Emens) whereby a modified message is displayed (e.g., Fig. 2B—item 36),, wherein the rule set comprises a plurality of rules, each of which relates to a respective predetermined message content (e.g., Fig. 2C, Emens and 0040, Lefeber), at least one rule of the plurality of rules being associated with a particular local requirement (e.g., each word entry in the repository may have numerous associated content rating vectors for different contexts in which the word is used, determined by surrounding words in the text, col. 3, lines 24-30, Emens).

6.   Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable in view of **Lefeber** (US 2002/0046299) and **Emens** (US 6,493,744) in further view of **Leber** et al. (US 2003/0182391)

Regarding claim 14,

Lefeber and Emen teach all the limitation of claim 1 and 3 such as,

       Lefeber also teaches reading an incoming message ([e.g., 0074]), wherein when the rule set comprises a plurality of rules, each of which relates to a respective predetermined message (e.g., [0040 and 0060]) and **Emens teaches** modifying the message if that message breaks a rule of the rule set (e.g., Fig. 2B); and displaying the modified message (e.g., Fig. 2B—item 36).

Lefeber and Emens does not explicitly teach searching for a word in a given list of words.

However, Leber teaches searching for a word in a given list of words (e.g., the word "jump" is identified by Thesaurus module **340,** or Spellchecker module **345,** or Dictionary **350** as the word to be search for in local database, [0157]).

It would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combined teachings of **Lefeber** and **Emens** to filter text messages received by a mobile telecommunications device with the teachings of **Leber,** it would have yielded predictable results and resulted in an improved system, namely by allowing the user of a device to send natural language queries for retrieving information from a database system or in a sentence to facilitate speed in retrieving information, [0027], Leber.

Response to Arguments

Claim Objections

7. Acknowledge is made to applicant's response to previously raised claim objections to claims 1, 7 and 13. In light of the amendment, all prior objections to claims 1, 7 and 13 are hereby **withdrawn.**

8. Applicant's arguments filed on 26 February 2010, with respect to claims 1-4 and 6-14 have been fully considered but not found persuasive for the following reasons:

In reference to the arguments:

9.   **Rejection Based upon 35 U.S.C 103 (a):**

Argument 1

> Applicant argues that "In contrast, Lefeber, Emens and Leber, individually or in
> combination, do not describe or suggest at least one rule of a plurality of rules
> that is associated with a particular local requirement, as required by claims 1, 7,
> and 13 as amended. Therefore, claims 1, 7 and 13 distinguish patentably from
> Lefeber, Emens, Leber, and the suggestion combination of these references.

Applicant argues that Lefeber, Emens and Leber do not teach "suggest at least one rule of a plurality of rules that is associated with a particular local requirement", as is now claimed. Examiner respectfully disagrees with the following assertion. In response, Emens specifically, noted that (e.g., each word entry in the repository may have numerous associated content rating vectors for different contexts in which the word is used, determined by surrounding words in the text, col. 3, lines 24-30, Emens). (Examiner's note: Based on no definition to the phrase, "local requirement", the examiner, has nonetheless, applying the broadest reasonable interpretation. Emens noted that each word may have numerous associated content and can be used for different contexts, which are determining by the surrounding words in the text. Per, applicant's specification given in the example on page 3, lines 15 through 27, (i.e., the word "fag" is offensive in the USA, but not in the UK), one of ordinary skill in the art would agrees that this particular word "fag" will be used in different contexts and have different meaning to the word based on location. Hence, the rejections are maintained.

Claim Interpretation

10.   Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969)".

The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

EXAMINER'S NOTE

11.   Examiner has cited particular columns and line numbers or paragraph numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. The entire reference is considered to provide disclosure relating to the claimed invention.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK O. AFOLABI whose telephone number is (571) 270-5627. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NATHAN FLYNN can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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